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2731

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
13754

In Re Application Of: **Tooru OGINO**



Serial No.
09/606,761

Filing Date
June 29, 2000

Examiner
Unassigned

Group Art Unit
2731

Title: **DIVERSITY CDMA RECEPTION APPARATUS HAVING ONLY
ONE CDMA RECEIVING PART**

Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p).

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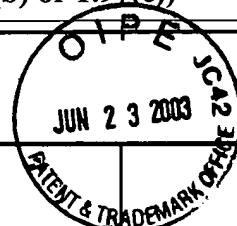
JUN 25 2003

Technology Center 2600

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
13754

In Re Application: **Tooru OGINO**



Serial No. 09/606,761	Filing Date June 29, 2000	Examiner Unassigned	Group Art Unit 2731
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**DIVERSITY CDMA RECEPTION APPARATUS HAVING ONLY
ONE CDMA RECEIVING PART**

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of _____ is attached.

The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.

Charge the amount of _____

Credit any overpayment.

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I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F:

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on June 20, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

Paul J. Esatto, Jr.,

Typed or Printed Name

*This certificate may only be used if paying by deposit account.

Signature

Paul J. Esatto, Jr., Reg. No. 30,749
SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, NY 11530

PJE:ahs

CC:

Dated: June 20, 2003

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tooru OGINO

Examiner: Unassigned

Serial No.: 09/606,761

Art Unit: 2731

Filed: June 29, 2000

Docket: 13754

For: DIVERSITY CDMA RECEPTION APPARATUS
HAVING ONLY ONE CDMA RECEIVING PART

Dated: June 20, 2003

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following reference, which is also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Japanese Laid-Open Patent Publication No. 56-168440, dated December 24, 1981.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 20, 2003



Paul J. Esatto, Jr.

The reference was cited in a Japanese Office Action dated March 25, 2003 received from the Japanese Patent Office. Applicant is submitting a copy of the above-cited reference, together with a translation of the Examiner's comments regarding the reference from the Official Action. The relevance of the reference is described in the Official Action.

In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the reference is cited. The relevance to the pending U.S. patent application is that the reference is cited in a foreign patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

Consideration of this Information Disclosure Statement is respectfully requested, since the art provided may be material to the examination of the present application as defined in C.F.R. §1.56.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



Paul J. Esatto, Jr.
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